

§ 52.1571

Be Used By Official Inspection Facilities”; Subchapter 33, “Inspection Standards and Test Procedures To Be Used By Licensed Private Inspection Facilities”; Subchapter 43, “Enhanced Motor Vehicle Inspection and Maintenance Program”; Subchapter 44, “Private Inspection Facility Licensing”; and Subchapter 45, “Motor Vehicle Emission Repair Facility Registration,” effective May 19, 2003.

(ii) Additional material:

(A) Letter from State of New Jersey Department of Environmental Protection dated August 13, 2003, requesting EPA approval of a revision to the Enhanced Inspection and Maintenance Program SIP which contains amendments to the Subchapter 16 “Control and Prohibition of Air Pollution from Volatile Organic Compounds.”

(d) Plan revisions were submitted on September 26, 1972.

[37 FR 10880, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1570, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

EFFECTIVE DATE NOTE: At 69 FR 39858, July 1, 2004, § 52.1570 was amended by adding new paragraph (c)(77), effective Aug. 2, 2004. For the convenience of the user, the added text is set forth as follows:

40 CFR Ch. I (7–1–04 Edition)

§ 52.1570 Identification of plan.

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(c) * * *

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(77) Revisions to the State Implementation Plan submitted by the New Jersey Department of Environmental Protection on July 1, 1999 and supplemented on September 12, 2002, September 26, 2002, April 3, 2003 and May 8, 2003.

(i) Incorporation by reference:

Conditions of Approval Document: Conditions of Approval Document issued by New Jersey on July 1, 1999 to Repauno Products, LLC’s sodium nitrite manufacturing plant, Gibbstown, Gloucester County.

(ii) Additional information—Documentation and information to support NO_x RACT facility-specific emission limits in SIP revision addressed to Regional Administrator Jeanne M. Fox from New Jersey Commissioner Robert C. Shinn, Jr.:

(A) July 1, 1999 SIP revision,

(B) September 12, 2002, September 26, 2002, April 3, 2003 and May 8, 2003 supplemental information to the SIP revision,

(C) May 14, 2004 commitment letter from New Jersey.

§ 52.1571 Classification of regions.

The New Jersey plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
New Jersey-New York-Connecticut Interstate	I	I	I	I	I
Metropolitan Philadelphia Interstate	I	I	III	I	I
Northeast Pennsylvania-Upper Delaware Valley Interstate	I	II	III	III	III
New Jersey Intrastate	III	IA	III	I	III

[37 FR 10880, May 31, 1972, as amended at 39 FR 16347, May 8, 1974]

§ 52.1572 Extensions.

Pursuant to section 186(a)(4) of the Clean Air Act, as amended in 1990, the Regional Administrator hereby extends for one year (until December 31, 1996) the attainment date for the New York-Northern New Jersey-Long Island Consolidated Metropolitan Statistical Carbon Monoxide nonattainment area.

[61 FR 56900, Nov. 5, 1996]

§ 52.1573 Approval status.

With the exceptions set forth in this subpart, the Administrator approves New Jersey’s plans for attainment and maintenance of the national ambient air quality standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title I, of the Clean Air Act, as amended in

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1977, except as noted below in §52.1581. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January, 1978 and January, 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[45 FR 15541, Mar. 11, 1980]

§52.1574 General requirements.

(a) The requirements of §51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator,

on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[39 FR 34537, Sept. 26, 1974, as amended at 40 FR 55331, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§52.1575 Legal authority.

(a) The requirements of §51.230(f) of this chapter are not met, since section 26:2C-9 of the New Jersey Air Pollution Control Law could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section 26:2C-9 is disapproved.

[39 FR 34537, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

§52.1576 Control strategy: Nitrogen dioxide.

(a) The requirements of §52.14(c)(3) of this chapter as of May 8, 1974 (39 FR 16346), are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the New Jersey portions of the New Jersey-New York-Connecticut Region.

[37 FR 10880, May 31, 1972, as amended at 39 FR 16347, May 8, 1974; 51 FR 40677, Nov. 7, 1986]

§52.1577 Compliance schedules.

(a) [Reserved]

(b) The requirements of §51.261 of this chapter are not met since Chapter 7, section 7.1(c) of New Jersey's "Air Pollution Control Code" permits certain